



**REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)**
(Submit an original and a duplicate for fee processing)



THIS APPLICATION: DOCKET NUMBER	FILING DATE	PRIOR APPLICATION: EXAMINER	ART UNIT	TOTAL NO. OF PAGES
P68311US1	January 5, 2004	Lebentritt, Michael	2824	5

Address to:

Honorable Commissioner for Patents
Mail Stop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

January 5, 2004

This is a request for filing a divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. **10/287,781** filed on **November 5, 2002**, entitled **FLASH MEMORY CELL AND METHOD OF MANUFACTURING THE SAME, AND PROGRAMMING/ERASING/READING METHOD IN THE FLASH MEMORY CELL** by the following inventors.

[1]	Family Name	First Given Name	Second Given Name
Full Name of Inventor	AHN	BYUNG JIN	
	City	State or Foreign Country	Country of Citizenship
Residence & Citizenship	Seoul	Republic of Korea	Republic of Korea
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[2]	Family Name	First Given Name	Second Given Name
Full Name of Inventor	PARK	BYUNG SOO	
	City	State or Foreign Country	Country of Citizenship
Residence & Citizenship	Ichon-Shi	Republic of Korea	Republic of Korea
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Post Office Address	Dusan Apt. 103-1507, Gwango-Dong, Ichon-Shi, Kyungki-Do, Korea		

[3]	Family Name	First Given Name	Second Given Name
Full Name of Inventor	CHUNG	SUNG JAE	
	City	State or Foreign Country	Country of Citizenship
Residence & Citizenship	Seoul	Republic of Korea	Republic of Korea
	Post Office Address	City	State & Zip Code/ Country
Post Office Address	Hyundaipuraim Apt. 6-2401, Guui 3-Dong, Gwangjin-Gu, Seoul, Korea		

1. ☐ A Preliminary Amendment is enclosed.
2. ☒ Cancel claim(s) 9-40 for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

<u>Claims</u>			<u>Small Entity</u>	<u>Large Entity</u>
Basic Fee			\$385.00	\$770.00
Total Claims:	8	- 20 =	x \$9 = \$	x \$18 = \$
Ind. Claims:	1	- 3 =	x \$43 = \$	x \$86 = \$
[] Multiple Dependent Claims			<u>+145 = \$</u>	<u>+ 290 = \$</u>
				Total \$770.00

3. ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
4. ☐ This application is filed under Rule 53(f) and therefore the [] Filing Fee [] Declaration is not enclosed. All authorization to charge Deposit Account No. 06-1358 for 35 C.F.R. 1.16 fees previously made is revoked.
5. ☒ Payment by credit card (Form PTO-2038) in the amount of **\$770.00** is enclosed to cover the Total Filing Fee.

6. ☒ Amend the specification by inserting before the first line the sentence:

This is a **divisional** application of prior application serial no. **10/287,781** filed on **November 5, 2002**.

☐ which in turn is

7. ☐ A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:

a) ☐ was claimed by way of a declaration filed in prior application Serial No. _____.

b) ☐ is claimed by way of the attached declaration.

8. ☒ Priority of application Serial No. **2001-87976**, filed on **December 29, 2001** in **Korea** is claimed under 35 U.S.C. 119.

a) ☒ Certified copy is on file in prior application, Serial No. **10/287,781**.

b) ☐ Certified copy filed herewith.

9. ☒ The prior application is assigned of record to **Hynix Semiconductor Inc.**

10. ☒ The Power of Attorney in the prior application is to at least one of the following:

Yoon S. Ham, 45,307; Harvey B. Jacobson, Jr., 20,851; John Clarke Holman, 22,769; D. Douglas Price, 24,514; Marvin R. Stern, 20,640; Allen S. Melser, 27,215; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007; and William E. Player, 31,409.

a) ☒ The power appears in the original papers of the prior application.

b) ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

11. ☒ Petition to extend the life of the above prior application to at least the date hereof

(One box) ☐ is being concurrently filed in
NOTE:(must be) that prior application.
(X'd) ☐ was previously filed in that application.
☒ is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. ☐ New formal drawings are enclosed.
13. ☒ Enclosed is a copy of the Information Disclosure Statement (IDS) and PTO-1449 which was filed in Serial No. **10/287,781**, filed on **November 5, 2002**, which is relied on for an earlier filing date under 35 U.S.C. 120.
- a) ☐ More than one IDS was filed in the above Serial No. and copies of each IDS, less the documents, are enclosed.
14. ☒ Enclosed is a copy of the PTO-892, which was issued in Serial No. **10/287,781**, filed on **November 5, 2002**, which is relied on for an earlier filing date under 35 U.S.C. 120.
- a) ☐ More than one PTO 892 issued in the above Serial No. _____ and copies of each PTO 892, less the documents, are enclosed.
15. ☒ Also enclosed are:
- A copy of the specification (36 pages) from prior application Serial No. 10/287,781;
 - A copy of the drawings (Figs. 1-10B) from prior application Serial No. 10/287,781;
 - A copy of the Declaration and Power of Attorney from prior application Serial No. 10/287,781; and
 - A copy of the Notice of Recordation of Assignment Document and a copy of the Assignment/Change of Name with cover sheet from prior application Serial No. 10/287,781.

Address all future correspondence to:

Customer No. 00136
or
JACOBSON HOLMAN, PLLC
The Jenifer Building
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Washington, D.C. 20004-2201
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Enclosed is a copy of the prior application including the Declaration as originally filed, application, namely Serial No. **10/287,781**, filed on **November 5, 2002**. The entire disclosure of the prior application is hereby incorporated by reference.

Respectfully submitted,

By: 

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Signed this 5th day of
January, 2004

☒ Attorney or Agent of record

☐ Filed under 37 CFR 1.34(a)